

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JUSTIN COSTELLO,  
Defendant.

NO. CR22-160RSM

STIPULATED MOTION FOR ENTRY OF  
RESTITUTION ORDER

The United States of America and Defendant Justin Costello, and Defendant's attorney, Dennis Carroll, files this stipulated motion for entry of a restitution order in the amount of \$35,307,160.50. The parties stipulate and agree that, as a factual matter, Defendant caused loss to the victims in that amount. This amount is also consistent with the factual statements and provision of the Plea Agreement. The parties submit a proposed Amended Judgment with the motion that reflects the agreed-upon restitution amount.

Defendant understands that the United States may seek to further amend the restitution order based on additional restitution that may be owed to one of the victim marijuana companies, but the amount of which cannot be determined at this time. The victim company alleges it has been assessed a significant amount of penalties and interest

1 by the California taxation authority as a result of Defendant's failure to pay taxes on the  
2 company's behalf. The company is in negotiations with the taxation authority and is  
3 seeking to reduce the assessed amount. Until those negotiations are concluded, the  
4 amount of loss to the company is undetermined. Defendant does not object to reopening  
5 the proceedings to address this issue, but reserves any substantive legal or factual  
6 challenges.

7 At the sentencing hearing, the Defendant waived his right to be present for the  
8 restitution determination. Counsel for Mr. Costello agrees to proceed via this stipulated  
9 motion and order.

10 DATED this 24<sup>th</sup> day of October, 2023.

11  
12 Respectfully submitted,

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Acting United States Attorney

15  
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